

Key Changes in Declaration of Restrictions

Lake LeAnn Property Owners Association Cherry Park Plat Two

Replace “Development Company” with owners and LLPOA in language related to oversight of Lake LeAnn and its properties.

Old Language:

“Lake Le Ann Development Company...are the developers of ...and as developers of ...it desires to impose the following restrictions”

Use was spelled out, but not often defined...”no trailer ...no poultry or livestock...”

“No trailer or temporary structure shall be occupied or stored...”

New Language:

“Pursuant to the Declaration...the undersigned, being the owners of record...hereby amend...to impose the following restrictions”

“The use of any lot shall comply with the bylaws, rules, and regulations of...(LLPOA)”

Allows Association to define... “No trailer or temporary structure as defined by the Association’s bylaws, rules, and regulations...”

A number of structure restrictions are clarified and made consistent.

Old Language:

Not stated.

“Any dwelling...shall have a minimum enclosed living area of...850 sq. ft...”

“Any garage or boat house must conform in appearance...”

New Language:

“The first structure erected on a lot must be a dwelling.”

“Any dwelling...shall have a minimum enclosed living area of...1000 sq. ft...”

“Any additional structure must conform in appearance...”

The Building Control Committee is established as a standing committee of the Association itself.

Old Language:

“The Building Control Committee shall consist of (3) members appointed by the Lake Le Ann Development Company...In the event of resignation...the remaining members shall appoint...”

“The Building Control Committee shall approve plans for all structures...”

New Language:

Language is removed and the Association establishes the Building Control as a standing Committee

“The Association shall approve plans for all structures...”

Key Changes in Declaration of Restrictions

Setbacks

Old Language:

“Any structure erected must be set back not less than 25 ft. from the front lot line and not less than 25 ft. from any side street lot line. Side line setbacks shall not be less than 10% of the width of the lot at building line.”

New Language:

“Any structure erected must be set back not less than 25 ft. from the front and rear lot lines, or waters edge for lakefront lots, whichever is closest to the structure, and not less than 25 ft. from any side street lot line. Side line setbacks shall not be less than 10% of the width of the lot or minimum of six (6) feet at building line.”

Septic tanks and Signs

Old Language:

“All septic tanks or other devices for the sanitary disposal of waste shall be installed in compliance with County Health Dept...”

“No for sale sign or advertising device of any kind shall be erected on any lot except on a new house previously unoccupied which is offered by the developer (or) builder.”

New Language:

Language was removed since Hillsdale County Health Department has total control of where and how septic systems are installed.

“No signs shall be erected on any lot except: 1) sign advertising lot is for sale, and 2) temporary signs erected for less than 30 days in a calendar year. No sign shall be larger than 6 square feet...”

Change Maintenance Fund language.

Old Language:

“The owner of each lot shall pay to the Lake Le Ann Maintenance Company \$20 on March 1st of each year...funds so collected shall be used at the discretion of the Lake Le Ann Maintenance Company to maintain all dams, regulate lake level...”

New Language:

“The owner of each lot shall pay a maintenance assessment to the Association, in an amount determined annually by the Association, on March 1st of each year. The maintenance assessment shall be a charge on the land and shall be a continuing lien upon the lot against which each assessment is made. Funds so collected shall be used at the discretion of the Association to maintain all dams, regulate the lake level...”